

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MR. LUIS RANGEL, SETH ADOMAKO, CHRISTINA CABELLO, ELISABETH NGUYEN, JOSE SANCHEZ, CHRISTAL TURNER, MELISSA WILSON, MARTIN OLOYEDE, NATHALIE YEKA, TRISTEN WILSON, TERRELL WHITE, DAVID W. JESSOP, DENAIRIUS ROBINSON II, EMRAN ALHYASAT, TERESA ANAYA, TIFFANY BROWN, MED CULLINS, KEVIN D. EARLS, TYHESSIA ELLIS, CRYSTAL HAYDEN, RHONDA JAMES, EMMANUEL MAKARI, CHRISTOPHER MARTIN, CATHERINE MCCARTY, ROSHAWN SAMPSON, VICTOR SEKGANTSO, MARK DAVIS, CANDACE D. SMITH, LATASHA SOLOMON, ALAN TA, GEORGE VANLARE, SAUL VEGA, ROSALINDA A VELA ESCOBAR, JUSTIN WIGGINS, PATRICK ACHEAMPONG, JOANNA AGUILERA, SHAWN J. AUSTIN, KINNEY BARCUCH, YOUNGHEE BIRMINGHAM, NINA BURNS, CHRISTIAN BURROW, MIKE DEAN, FRANKIE EARLY JR., SHARONDA FORD, JAYSON FOX, COURTNEY FRAZIER, JENNIFER GAILLEY, RYAN GRIZZLE, JEREMY HENGY, LISA HOWARD, NATHANIEL JONES, DERRICK KEITH, PROSPER KISWAGA, NORMA MARTINEZ-CANTU, KASANDRA MCGHEE, GODFREY MOMANYI, MICHELLE ORR, LAWRENCE OWONIKOKO, ANDRES SALAZAR, KIMBERLY SEARCY, LACHANNA SNEED, SCOTT SULLIVAN, JULIO VALENCIA, MIRANDA VAN COLEN, EDWARD WATTS, WAYNE CARL WILLIAMS, SEAN WILLIAMS, GLADYS BERISTAIN, WILLIE GARRET, RICHARD SHAW, TREVOR REED, HEATHER MICHELLE EMMONS.

SA-18-CV-00082-JKP

Plaintiffs,

VS.

ADTALEM GLOBAL EDUCATION,
INC., FORMERLY KNOWN AS DEVRY
EDUCATION GROUP, INC.; AND
DEVRY UNIVERSITY, INC.,

Defendants.

ORDER

Before the Court in the above-styled cause of action is Plaintiffs' Motion to Strike Defendants' General Objections and to Compel Defendants to Respond Fully to Plaintiffs' First and Second Requests for Production [#105]. By their motion, Plaintiffs ask the Court to strike certain general objections asserted by Defendants in their responses to Plaintiffs' first and second requests for production and to compel Defendants to more fully respond. The Court held a hearing on the motion on July 27, 2020, at which counsel for Plaintiffs and Defendants appeared telephonically. Before the hearing, the parties filed a joint advisory, which clarified that Plaintiffs continued to challenge four general objections asserted by Defendants at the time of the hearing: (No. 1) objection to Plaintiffs seeking information that is unrelated to DeVry but related to other Adtalem institutions not at issue in this case; (No. 2) objection to Plaintiffs seeking information outside the time period from January 1, 2008 to December 13, 2014 (the time period when all Plaintiffs enrolled in DeVry and would have relied on any advertising materials at issue in this action); (No. 3) objection to Plaintiffs seeking information that relates to DeVry locations outside of the state of Texas, as all Plaintiffs are Texas residents; and (No. 8) objection to Plaintiffs seeking information protected against disclosure due to various rights of privacy, including those protected by the Family Educational Rights and Privacy Act ("FERPA") and the Health Insurance Portability and Accountability Act ("HIPAA").

After the hearing, the Court ordered Defendants to file amended responses to Plaintiffs' first and second requests for production and, if issues remained in dispute despite the

amendments, for the parties to file a joint advisory indicating the same. The parties timely filed their Joint Advisory [#117], which attached Defendants' amended responses to the discovery at issue. The amended responses have replaced the previous general objections with specific objections. After reviewing the Advisory and amendments, the Court finds that the amendments have resolved the issues raised in Plaintiffs' motion, and the Court will dismiss the motion as moot.

The Advisory indicates, however, that Plaintiffs have identified a number of other issues with Defendants' discovery responses that were not raised in their original motion. The Court will direct the parties to meet and confer on these issues and diligently attempt to resolve them. If a resolution is not achieved, Plaintiffs may file a new motion addressing these new areas of dispute.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Strike Defendants' General Objections and to Compel Defendants to Respond Fully to Plaintiffs' First and Second Requests for Production [#105] is **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that the parties meet and confer on the newly raised issues identified in the parties' Advisory and diligently attempt to resolve the issues before filing a new motion to compel.

SIGNED this 14th day of August, 2020.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE